[illegible]

Home (1936) Department.

Kg SERIES.

G.O. No. 2552

DATED 5 K 1936

Despatch Abstract.]

Madras - Bench - Mangalore -

Powers Conferred on Dy. A.

Krishnaswamy Rao Hot - Withdrawal

Home 614 G
14.8.36.

Ref.C.1-2174-I-36.

Application for the Appointment of a Bench Magistrate for the town of Mangalore in the district of South Kanara.

ASSTT. SECRETARY TO GOVT. 14 AUG 1936

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1. Name of town	Mangalore.
2. Name of the nominee in full	M.R.Ry. Nagar Venkata Rao Avargal
3. His qualifications	He is an under-graduate belonging to a respectable family, a land-holder and banker. Not a Municipal Councillor.
4.(1) Cause of vacancy or vacancies	In place of M.R.Ry. Attavar Krishnojee Rao, Avl., who was appointed in G.O.R.No.722 Law (General), dated 4-10-34. As he is reported to be not attending the Bench and does not take any interest in its work, the powers conferred on him may be withdrawn.
(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.	
5. Number and date of the notification appointing him.	
6. Remarks.	The nominee being an undergraduate will be a useful member of the Bench and will take interest in the work. He is willing to be appointed as a Special Magistrate. I recommend that he may be -- appointed.

Station, Mangalore,

Dated 12-8-1936.

(Signature)
For District Magistrate of South Kanara.

To

The Secretary to Government,

Home Department,

M a d r a s.

12.8.36

2310 1
15/8/36

Home Dept.

Memorandum No.6140-1 dated 24-8-36

Magistrates - Bench - Mangalore - Appointment of M.R.Ry. Nagar Venkata Rao Avl., and withdrawal of powers conferred on M.R.Ry. A. Krishnojee Rao Avl.,

Ref: From the D.M. South Kanara, Ref.C.1-2174-L-36 dated 12-8-1936.

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The D.M. South Kanara is informed that the usual procedure in cases of irregular attendance of Bench Magistrates on the Bench, is to give notice to them of their irregularity and to obtain their explanation therefor. If their explanation is unsatisfactory or if the irregularity is persisted in, an opportunity is given to them to resign and if this is not heeded, then only are their powers withdrawn.

2. In his reference read above, the D.M. has recommended the withdrawal of the powers conferred on M.R.Ry.Attavar Krishnojee Rao Avl., for the reason that the latter is reported to be not attending the Bench and does not take any interest in its work. The D.M. is requested to adopt the procedure referred to in para 1 of this Memo ~~and to give~~ Mr. A.Krishnojee Rao a notice of his absence on the ~~Bench and his lack of interest in it and to~~ obtain his explanation ~~therefor~~. If the Hony. Magistrate's explanation is unsatisfactory, the D. is requested to give him an opportunity to resign, giving him at the same time a warning, that if he does not resign his appointment as a Special Magistrate, the powers conferred on him will be withdrawn.

Reminder issued on 2-9

To the D.M. South Kanara.

(Reminder after 1 month)

3

C.F. 30.

H o m e **DEPARTMENT**

Home 1085 9
28-9-36

Received ..... 19 . *Registered* 19

Subject.

Magistrates - Honorary Magistrate, Mangalore - A.R.Ry. A. Krishnojee Rao - withdrawal of powers -recommended.

Government Memo No.614-Gl dated 24-8-1936.

ASSISTANT SECRETARY TO GOVERNMENT
27 SEP 1936
HOME DEPARTMENT

ENCLOSURES.
No. .....
.....
Spare copies .....

Ref. Cl No. 2174-I-36.

Station Mangalore, *Dated the* 25th September 1936.

From (Name) Khan Bahadur Muhammad Humayun Saheb Bahadur, B.A.,
(Designation) Dt. Magistrate of South Kanara.

To The Secretary to the Government of Madras,
H o m e Department,

Sir,

M a d r a s.

I submit a copy of the letter received from the Honorary Magistrate in reply to my letter dated 28th August 1936 a copy of which is also enclosed. He has not attended a single sitting of the Court even after his promise to do

2. Apart from his non-attendance, he does not appear to me to be a desirable person to sit on the Bench. There are some Civil Court decrees against him. It is reported that in respect of some decrees, execution proceedings were taken against the Honorary Magistrate and arrest warrants were issued. These could not be executed as he

evidently absented himself and caused the warrants to be returned with the endorsement that the judgment debtor was not found.

3. For the reasons set forth above, I recommend that the powers conferred on A. Krishnojee Rao may be withdrawn. He was appointed Honorary Magistrate in G.O.R.No.722 Law (General) dated 4-10-1934.

For Dt. Magistrate.

26.9.36

5.

Ref.C1.2174-M/36. S.Kanara Dt.Magistrate's Office,
Mangalore, 28th August 1936.

From

Khan Bahadur Muhammad Humayun Saheb Bahadur, B.A.,
Dt.Magistrate of South Kanara.

To

M.R.Ry. A. Krishnaji Rao Avl.,
Mangalore.

Sir,

I find that your attendance as a member of the Bench Court of Mangalore was very poor throughout the year 1935. This was intimated to you in this office letter, Ref.C1-168-M/35, dated 20.1.1936 and you stated in your letter, dated 5.2.1936 that you would attend the sittings regularly. In the first quarter of 1936 also, your attendance was very poor as intimated in this office letter, dated 30.4.1936 and there was no improvement in the second quarter of 1936. In the current quarter, you have not attended a single sitting since July 1936. You may either send in your resignation or state before 10.9.1936 as to why the powers conferred on you should not be withdrawn.

Sd/- M. Humayun,
Dt. Magistrate,
28.8.1936.

True Copy.

madhavarao
28/9
For Dt.Magistrate.

gm
25.9.36

SRI KRISHNA CINEMA, MANGALORE.

Mangalore, 31.8.1936.

To

The District Magistrate,

South Kanara,

Mangalore.

Dear sir,

I am in due receipt of your Ref.C1-2174/M/36, dated the 28th instant re: my attendance at the Bench Court sittings. Firstly I should submit that it is never intentional nor my unwillingness to do so. Owing to my mother's continued illness requiring constant attendance and due to other circumstances quite unavoidable, I was forced to stay away much against my desire and I regret very much for having been very irregular. I shall satisfy you by my regular attendance from now onwards and it will be a pleasure to me to do so.

Your most obedient servant

Sd/- xx xx xx
Hon.Magistrate &
Proprietor, Sri Krishna
Cinema, Mangalore.

True Copy.

For Dt.Magistrate.

25.9.36

Home Department.
(G)

From the D.M. South Kanara, Ref.C.1.2174-M-36 dated 12-8-1936.

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MAGISTRATES - Bench - Mangalore - Appointment of M.R.Ry. Nagar Venkata Rao Avl.,

****

A.S:

The D.M. South Kanara has forwarded proposals for the withdrawal of powers conferred on M.R.Ry. Attavar Krishnojee Rao Avl., Spl. Magistrate, Mangalore and recommends the appointment of M.R.Ry. Nagar Venkata Rao Avl. in his place for the reason that the former is reported to be not attending the Bench and does not take any interest in its work. It is usual that the powers of Honorary Magistrates are not withdrawn straightaway except for serious offences. In the present case the ~~only~~ grounds attributed by the D.M. for the withdrawal of powers of the Hony.Magistrate is that Mr. A.Krishnojee Rao is not attending the Court and does not take any interest in its work.

Attention is invited to a similar case of irregular attendance of a Hony. Magistrate at Dindigul when the D.M. was asked to give the Hony. Magistrate an opportunity to resign. In that case it subsequently turned out that the Hony. Magistrate promised to be regular in future and as a result his powers were not withdrawn. Submitted that in this case ~~xkxx~~, the D.M. may be asked to give Mr. A. Krishnojee Rao a notice of his absence on the Bench and his lack of interest in it and to obtain his explanation. If ~~his~~ the Hony. Magistrate's explanation is unsatisfactory, he may be given an opportunity to resign his post and if this is not heeded, his powers may be withdrawn.

A draft memo to D.M. is submitted for approval.

8

-2-

(Issued as Memo No.614G-1 dated 24-8-1936 to the D.M. South Kanara.

From the D.M. South Kanara, C1.No.2174-M-36 dated 25-9-1936)

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A.S:

The D.M. South Kanara has forwarded a copy of the notice issued to Mr.A. Krishnojee Rao, Hony. Magistrate, Mangalore, regarding his irregular attendance giving him at the same time an opportunity to resign, and the Magistrate's reply to it. Mr.A. Krishnojee Rao in his reply says that his absence was due to his mother's continued illness and due to other circumstances quite unavoidable and that he shall be regular in attendance hereafter. But the D.M. is of opinion that apart from the Special Magistrate's non-attendance. he is an undesirable person to sit on the Bench for the reasons given in para 2 of his letter and recommends that the powers conferred on Mr.Krishnojee Rao may be withdrawn.

For orders whether the D.M's recommendation may be accepted. If so, a draft order put up is for approval.

Order—R. No. dated 193 .

The Governor in Council is pleased to appoint the undermentioned gentlemen to be a Special Magistrate / Special Magistrates for the area comprised within the jurisdiction of the Bench of Magistrates at towns specified opposite to their names in the district of with the powers and subject to the terms and conditions specified in Notification No. 737, Home (Judicial), dated the 13th August 1919, published at pages 1040 and 1041 of Part I of the *Fort St. George Gazette* of the 26th idem as amended by subsequent notifications.

HOME DEPT.

ORDER - Ms. No. 2552 dated 5/10/ 1936

Read:--

From the D.M. South Kanara, Ref.C1.2174-M-36 dated 12-8-36 and 25-9-1936.

2. The attention of the Special Magistrate / Special Magistrates is / are invited to the Law (General) Department Notification No. 820, dated the 26th November 1925, published at page 2258 of Part I of the *Fort St. George Gazette*, dated the 1st December 1925 and he / they is / are informed that his / their appointment as Special Magistrate(s) will be tenable for a period of three years from the date of this order.]

3. Under the provisions of section 41 of the Code of Criminal Procedure, 1898, the Governor in Council withdraws the powers of a Special Magistrate for the area comprised within the jurisdiction of the Bench of Magistrates at Mangalore in the district of South Kanara conferred on M.R.Ry. Avar Krishnojee Rao Avl. who has / have resigned his / their appointment.

To the District Magistrate of South Kanara

The Superintendent, Government Press, for publication of notification.

U.F. 393—4,074—6-2-34.

Application for the Appointment of a Bench Magistrate for the town of in the district of

1. Name of town .. ..

2. Name of the nominee in full .. .. ..

3. His qualifications * .. ..

4. (1) Cause of vacancy or vacancies .. ..

(2) Name of existing incumbent, if any, and whether or not withdrawal of his powers is necessary.

5. Number and date of the notification appointing him.

6. Remarks † .. ..

7. Address .. ..

Station, *No.*

Dated

(Signature)_____

*District Magistrate of*_____

* Particulars as to the nominee's position in life, etc., and information as to whether he is a municipal councillor or not should be given against this item. If he is a municipal councillor it should be stated how many municipal councillors there are on the bench and what the strength of the bench is.

† Against this item it should be stated whether the nominee's consent has been obtained.